

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
MAY 21, 2014**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, May 21, 2014, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Absent
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. Six of the seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. April 23, 2014 regular common council meeting
2. May 2, 2014 special council meeting

A **motion** was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to approve the minutes as presented. Motion carried 6-0.

Public hearing. Mayor Seitz then opened the public hearing regarding the petition of Schroering Rentals LLC to vacate a portion of a PUDE on Lot 16 in Maryville Second Addition on the west side of Eversman Drive.

A notice about the hearing appeared in the Herald on May 9, 2014, was faxed to the news media and was posted at city hall.

Brad Eckerle with Brosmer Land Surveying requested permission to table the hearing until the June 18, 2014 meeting.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to accept the tabling of the public hearing until next month. Motion carried 6-0.

Public hearing. Mayor Seitz then opened the public hearing regarding the petition of Keusch Kids LLC and KAKB LLC to annex 35.744 acres known as Brookstone Estates V.

A notice about the hearing appeared in the Herald on May 1, 2014, was faxed to the news media and was posted at city hall.

Brad Eckerle with Brosmer Land Surveying showed a map of the area that the petitioners want to annex. He said there is one property owner and the annexation request is 100% petitioned for.

Mayor Seitz asked for comments from the public. No comments were received.

A motion was made by Council member Kevin Manley and seconded by Council member Thomas Schmidt to close the public hearing. Motion carried 6-0.

Public hearing. Mayor Seitz then opened the public hearing concerning the tax abatement request from Cash Waggoner Enterprise LLC.

A notice about the hearing appeared in the Herald on May 10, 2014, was faxed to the news media, was posted at city hall and was given to the other taxing units in this economic revitalization area.

Nathan Waggoner was present for the hearing.

Mayor Seitz asked for comments from the public. No comments were received.

A motion was made by Council member Randall Buchta and seconded by Council member David Prechtel to close the public hearing. Motion carried 6-0.

**Resolution No. 2014-7 RESOLUTION OF THE COMMON COUNCIL
CONFIRMING THE DESIGNATION OF A PORTION OF THE CITY OF
JASPER AS AN ECONOMIC REVITALIZATION AREA AND
APPROVING A STATEMENT OF BENEFITS**

This resolution confirms the economic revitalization area and approves the real and personal property tax abatement statement of benefits for Cash Waggoner Enterprise LLC.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to consider the resolution for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to read the resolution by title only. Motion carried 6-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Randall Buchta to pass and adopt Resolution No. 2014-7. Motion carried 6-0.

After the adoption of the resolution, City Attorney Renee Kabrick said there are four businesses, Cash Wagner Enterprise LLC, Cash Wagner and Associates P.C., 3 PEPLS Properties LLC, and Testing and Inspection Services Inc, that will do business as the project moves forward and all are owned by the same people. Kabrick said Indiana Code allows the transfer of ownership of real property and personal property in an economic revitalization area that is subject to the tax abatement. Cash Wagner Enterprise is asking permission to go forward with the transaction. Kabrick said if approved, she will draft a resolution regarding this matter.

A motion was made by Council member Kevin Manley and seconded by Council member Thomas Schmidt to approve the request to transfer ownership of property in the ERA that was approved for Cash Wagner Enterprise. Motion carried 6-0.

Public hearing. Mayor Seitz then opened the public hearing concerning the tax abatement request from Jasper Engine Exchange.

A notice about the hearing appeared in the Herald on May 10, 2014, was faxed to the news media, was posted at city hall and was given to the other taxing units in this economic revitalization area.

Bill Kaiser representing Jasper Engine Exchange was present for the hearing.

Mayor Seitz asked for comments from the public. No comments were received.

A motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 6-0.

**Resolution No. 2014-8 RESOLUTION OF THE COMMON COUNCIL
CONFIRMING THE DESIGNATION OF A PORTION OF THE CITY OF
JASPER AS AN ECONOMIC REVITALIZATION AREA AND
APPROVING A STATEMENT OF BENEFITS**

This resolution confirms the economic revitalization area and approves the real and personal property tax abatement statement of benefits for Jasper Engine Exchange Inc.

A motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to consider the resolution for one reading only.

Motion carried 6-0. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to read the resolution by title only. Motion carried 6-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Gregory Schnarr to pass and adopt Resolution No. 2014-8. Motion carried 6-0.

Since the cost of the project is phased in over a period of several years, the council members want the ten-year property tax abatement schedule to be applied so there is a total of ten years abatement for the entire project.

Review tax abatement compliance form [CF-1/PP]-Stens LLC.

At the April meeting, the council tabled the consideration of Stens' Compliance with Statement of Benefits Form for personal property because they felt the salary section of the form was not filled out properly.

Pete Ariens, representing Stens LLC, displayed a spreadsheet showing what year and the number of employees that are to be added each year vs how many employees have been hired thus far. According to their tax abatement application, Stens is to add 37 of the estimated 98 employees by the end of 2013. The CF-1/PP form shows 20 for the actual number of employees hired by the end of 2013. Ariens explained that Manpower provides employees first then Stens takes over as actual employees. Most of the hiring through Manpower did not start until they moved to their new location in late 2013; therefore, nineteen workers are included under Manpower's payroll and not included as an employee for Stens in 2013.

A motion was made by Council member Kevin Manley and seconded by Council member David Prechtel to find that Stens LLC is in substantial compliance with its statement of benefits for personal property [CF-1/PP]. Motion carried 6-0.

Review tax abatement compliance form [CF-1/PP]-Jasper Chair Company.

Copies of the Compliance with Statement of Benefits Form for personal property for 2014 pay 2015 from Jasper Chair Company Inc were previously distributed to the council members for their review.

According to the tax abatement application, Jasper Chair Company Inc was to install \$450,059 of manufacturing equipment by August 1, 2014. According to the CF-1/PP form, only \$3,850 has been installed. Since the council had some questions and no one was present representing this company, a motion was made by Council member David Prechtel and seconded by Council member Kevin Manley to table a decision regarding Jasper Chair's compliance form. Motion carried 6-0.

Review tax abatement compliance forms [CF-1]-Indiana Furniture Industries.

Copies of the Compliance with Statement of Benefits Form for real property and for personal property for 2014 pay 2015 from Indiana Furniture Industries Inc were previously distributed to the council members for their review.

The CF-1 forms say 270 of 287 employees have been retained and only 3 of the 7 additional employees have been hired.

Bernie Kreilein, Chief Financial Officer for IFI, said they had a decline in employees because there has been a change of direction in the furniture industry. Their veneer business has declined and the laminates business has increased but it takes less employees for the laminates business. Kreilein said IFI is figuring out what the next phase will be and are redoing their plan.

There was some discussion and questions that followed because it appeared they were not in compliance. Some questions were whether or not they could reapply or if it is decided they are not in compliance this year can they get back in compliance next year, or could they clarify their plans. City Attorney Renee Kabrick said she thinks if the council decides they are not in compliance it could affect the entire abatement.

Because of some uncertainty about wording in the law regarding this matter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to table a decision regarding IFI's compliance forms until the next meeting. Motion carried 6-0.

Review tax abatement compliance forms [CF-1]-Meyer Distributing Inc and Braun Family Properties LLC.

Copies of the Compliance with Statement of Benefits Form for real property from Braun Family Properties LLC and for personal property from Meyer Distributing Inc for 2014 pay 2015 were previously distributed to the council members for their review.

Mike Braun, representing both businesses, said everything is ahead of schedule for the project. The CF-1 forms indicate that fact.

A motion was made by Council member David Prechtel and seconded by Council member Earl Schmitt to find that Braun Family Properties LLC is in substantial compliance with its statement of benefits for real property [CF-1/real property]. Motion carried 6-0.

A motion was made by Council member Kevin Manley and seconded by Council member Thomas Schmidt to find that Meyer Distributing Inc is in substantial compliance with its statement of benefits for personal property [CF-1/PP]. Motion carried 6-0.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on

May 19, 2014. A copy of the Utility Service Board minutes is supplied to each council member.

Acknowledgement of INDOT letter RE: US 231.

At the April council meeting, the council members asked the city attorney to prepare a letter from them to INDOT requesting major work be done to US231 through Jasper. Such a letter was sent to INDOT. Since then the City received a letter dated May 19, 2014 from the Vincennes District communications director acknowledging the receipt of the letter from Jasper officials. INDOT's letter also stated they are currently assessing the area and will be in touch with the council in the next few weeks.

Board of Public Works and Safety recommendation regarding the sale of City properties.

At the May 13, 2014 Board of Public Works and Safety meeting, the board members recommended to the Council to proceed with the disposal of the 30th Street Park property, the Lechner property, and the Truman Road near St. Charles Street property.

City Attorney Renee Kabrick said according to Indiana Code, the council needs to confirm the Board of Public Works and Safety's recommendation.

A motion was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to proceed with the sale of the 30th Street Park property, the Lechner property, and the Truman Road property. Motion carried 6-0.

Kabrick said the council needs to consider whether to have the property sold by open bidding through the city or by auction. Kabrick said she recommends proceeding with an auctioneer and in order to do so the City would need to get proposals to seek an auctioneer. She then explained the process for the two methods. In a notice to sell the properties it would include language that says the City is not obligated to accept a bid. The only obligation the City has is to accept a bid that is at least 90% of the average of two appraisals. Council members Kevin Manley and Randall Buchta said they would like to see the bids first rather than by auction. Council member Gregory Schnarr said he would like to see the breakdown of what we get from the proposals from auctioneers.

After some discussion, Kabrick said she will get proposals from auctioneers and prepare step-by-step instructions if the City accepts bids and present this information at the June meeting so the council can make a decision on how to proceed at that meeting.

Downtown Master plan presentation.

Barry Alberts with CityVisions said he wanted to give a brief update to explain what has been going on the past few months. He then reviewed what the goals are for the downtown master plan. David Gamble with Gamble Associates then

presented a brief slideshow that contained the north river walk area, the Courthouse Square plan, and the building reuse plan.

Proposed housing project.

Pete Schwiegeraht, a developer with the Miller-Valentine Group, said this company is looking at the former JOFCO building as a proposed workforce oriented housing project or a senior housing project. They want to acquire 80,000 to 100,000 square feet of this 300,000 square foot structure and develop 50 to 70 housing units. This development is about a twelve million dollar investment. They need to submit an application for tax credits to the Indiana Housing Community Development Authority by November 1, 2014. He said they are requesting that the City provide support and economic assistance to assist with the application. This is a competitive process and proposals that have local support and incentives receive higher scores and ultimately are awarded financing. They will find out in March 2015 if they will receive the tax credits.

ORDINANCE NO. 2014-7 AN ORDINANCE AMENDING SECTION (6)1 OF ORDINANCE NO. 546 ENTITLED AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA-STOP INTERSECTIONS DESIGNATED

This ordinance changes the Main and 11th Street intersection from a two-way to a three-way stop intersection.

A motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to consider the ordinance for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Kevin Manley to read the ordinance by title only. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2014-7. Motion carried 6-0.

ORDINANCE NO. 2014-9 AN ORDINANCE AMENDING ORDINANCE NO. 2002-54 ENTITLED AN ORDINANCE ESTABLISHING FEES FOR ACTIVITIES OF THE JASPER DEPARTMENT OF PARKS AND RECREATION

This ordinance adds fees for golf club rentals and fees for buckets of balls at the driving range.

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Gregory Schnarr

and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2014-9 on condition 'Municipal Golf Course' is changed to 'Buffalo Trace Golf Course'. Motion carried 6-0.

ORDINANCE NO. 2014-10 AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR THE CUSTOMERS OF THE JASPER MUNICIPAL ELECTRIC UTILITY

This ordinance revises the electric utility rates and charges.

City Attorney Renee Kabrick said the utilities did an electric utility rate study. The Utility Service Board recommended a six percent increase in the electric rates. If the ordinance is adopted, the revised rates will become effective on or after August 1, 2014.

A motion was made by Council member Randall Buchta and seconded by Council member Kevin Manley to read the ordinance by title only on first reading. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Thomas Schmidt to approve the ordinance on first reading.

Under discussion, Council member David Prechtel said the public thinks this increase is due to the lawsuit fees associated with the power plant. City Attorney Renee Kabrick and General Manager of Utilities Gerald 'Bud' Hauersperger both said that when the rate study was performed it did not take into consideration any litigation fees from the power plant project.

Mayor Seitz then called for the vote. The motion carried 6-0.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 6-0 and the meeting adjourned at 9:02 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 18th day of June, 2014.

Mayor Terry Seitz
Presiding Officer

Attest: _____
Juanita S. Boehm, Clerk-Treasurer